

REMARKS

Foreign Priority:

Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority under 35 U.S.C. § 119(a)-(d).

With regard to the certified copy of the priority document, Applicant notes the Examiner's comments. Applicant has reviewed the record and Applicant notes that the proper foreign priority document has been filed. However, Applicant notes that the inventor's declaration contained a typographical error and failed to identify the correct priority document.

Accordingly, Applicant submits herewith a Submission of Supplemental Declaration and Power of Attorney along with a supplemental Declaration signed by the inventor.

Therefore, Applicant hereby requests the Examiner acknowledge Applicant's corrected claim to foreign priority and that the certified copy of the priority has been received.

Claim Objections:

The Examiner has objected to claim 6 due to minor informalities. Applicant has amended claim 6 as shown in the previous section and hereby requests the Examiner reconsider and withdraw the above objection.

Claim Rejections:

Claims 1-6 are all of the claims pending in the present application, and currently all of these claims stand rejected.

Claim 1 has been canceled without prejudice or disclaimer.

35 U.S.C. § 102(b) Rejection - Claims 1 and 2:

The Examiner has rejected claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by Bonnet (FR-2306051-A). However, as claim 1 has been canceled without prejudice or disclaimer and claim 2 has been amended to depend on claim 5, Applicant submits that the above rejection is now moot.

35 U.S.C. § 102(b) Rejection - Claim 1, 3, 5 and 6:

Claims 1, 3, 5, and 6 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,166,710 to Spiridonov. In view of the following discussion, Applicant respectfully traverses the above rejection, with regard to claims 5, 2 and 3.

Spiridonov discloses a device comprised by two segments, which connect locally to a pipeline, in order to keep the pipeline in its position. The segments form ballast weights engaging the pipeline. The ballast weights, at their lower end, comprise contact shoes, which extend inwardly. The pipeline and the ballast weights are mounted in a groove formed in the ground or earth, which groove has minimum dimensions and is filled by a filling material.

However, unlike the present invention, Spiridonov fails to disclose a method of laying cables or conduits, where the method comprises retaining the cable or conduit in a groove with a u-shaped element having a top surface and two side walls. As set forth in claim 5, the method of laying cable requires using a u-shaped channel with projections for retaining the cable or conduit in the groove. This is not disclosed in Spiridonov, as Spiridonov only discloses a device comprised by two segments, which connect locally to a pipeline, in order to keep the pipeline in its position, where the segments form ballast weights engaging the pipeline, and the ballast

weights, at their lower end, comprise contact shoes, which extend inwardly. Thus, different from present claim 5, Spiridonov fails to disclose a method of laying cables or conduits, where the method comprises retaining the cable or conduit in a groove with a u-shaped element having a top surface and two side walls.

In view of the foregoing discussion, Applicant submits that Spiridonov fails to disclose, teach or suggest each and every feature of the claimed invention. Therefore, Applicant submits that Spiridonov fails to anticipate the claimed invention as set forth in claim 5, 2 and 3, as required by the provisions of 35 U.S.C. § 102(b). Accordingly, Applicant hereby requests the Examiner reconsider and withdraw the above rejection of these claims.

Additionally, with regard to the other references cited by the Examiner, Applicant notes that the method for laying cables, as set forth in claim 5 is not disclosed, taught or suggested in either Bonnet or Duvall. Specifically, neither of these references disclose or suggest a method for laying cables in a groove and covered over their full length by a protective covering comprising at least one U-shaped element as set forth in claim 5.

35 U.S.C. § 103(a) Rejection – Claim 4

The Examiner has rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Bonnet as applied to claim 1, and further in view of U.S. Patent No. 5,962,809 to Duvall et al. However, as claim 4 depends on claim 5, Applicant submits that this claim is also allowable, at least by reason of its dependence.

AMENDMENT UNDER 37 C.F.R. §1.111
Application Number 10/688,938

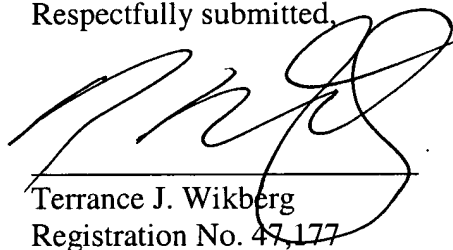
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Conclusion:

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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